

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ALI AMIR ABDUL-AZIZ,

Plaintiff,

vs.

ELDORADO RESORTS, LLC, *et al.*,

Defendants.

3:14-cv-00457-RCJ-VPC

ORDER

This case arises from Defendants' alleged discrimination and unconstitutional treatment of Plaintiff at the Eldorado Resort and Casino in Reno, Nevada on September 16, 2012. Pending before the Court are Motions to Dismiss filed by Defendant Eldorado Resorts LLC (ECF No. 22) as well as Defendants Kelle Harter and the Reno Police Department (ECF No. 23).

On February 6, 2014, Plaintiff's counsel filed a motion to withdraw as attorney, which the Magistrate Judge granted. (ECF No. 31). Plaintiff then requested that the trial date set in this case be continued in order to give him time to retain substitute counsel. In an Order dated February 24, 2015, the Court denied Plaintiff's request, finding that the currently scheduled trial date of July 27, 2015 afforded Plaintiff sufficient time to find a new attorney. (*See* Feb. 24, 2015 Order, ECF No. 35). The Court further ordered Plaintiff to respond to Defendants' Motions to Dismiss within thirty days. The Order was entered on the docket on March 12, 2015. (ECF No. 35). Accordingly, Plaintiff had until April 13, 2015 to respond to the pending Motions, which he

1 did not do. Defendants now request that the Motions be granted for Plaintiff's failure to respond.
2 (ECF Nos. 36, 37).

3 Local Rule 7-2(d) states that "[t]he failure of an opposing party to file points and
4 authorities in response to any motion shall constitute a consent to the granting of the motion."
5 The Motions were filed on January 30, 2015 and February 2, 2015, meaning that nearly three
6 months have passed with no response from Plaintiff notwithstanding the extended deadline
7 granted by the Court in its previous Order. Therefore, the Court finds that the Motions to
8 Dismiss should be granted and Plaintiff's case dismissed. *See Ghazali v. Moran*, 46 F.3d 52, 54
9 (9th Cir. 1995) (holding that "pro se litigants are bound by the rules of procedure").

10 **CONCLUSION**

11 IT IS HEREBY ORDERED that Defendants' Motions to Dismiss (ECF Nos. 22, 23) are
12 GRANTED with prejudice. The Clerk is ordered to close the case.

13 IT IS SO ORDERED.

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15 Dated: April 28, 2015 _____

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18 ROBERT C. JONES
United States District Judge
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